

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 3, 2009**

**DIVISION TWO**

B208050      Stephen P. Shoemaker, Jr.                      (Not for Publication)  
                         v.  
                         Marc A. Bronstein

The summary judgment is affirmed. Respondent is entitled to recover costs on appeal.

Doi Todd, J.

We concur:    Boren, P.J.  
                         Ashmann-Gerst, J.

B211603      Kim Mellman                                      (Not for Publication)  
                         v.  
                         Michael Mellman

The order denying modification of spousal support and awarding attorney fees are affirmed. Kim is entitled to recover her costs on appeal.

Doi Todd, J.

We concur:    Boren, P.J.  
                         Chavez, J.

November 3, 2009 (Continued)

## DIVISION TWO (continued)

B215092      People      (Not for Publication)  
v.  
Michael McDowell

The trial court is ordered to correct the abstract of judgment to state that appellant was convicted of count 1, assault by means of force likely to produce great bodily injury (§ 245, subd. (a)(1)). The trial court shall forward a certified copy of the abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B205609      People      (Not for Publication)  
v.  
Christopher Bingley

The judgment is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Chavez, J.

## DIVISION THREE

B212172 People (Not for Publication)  
v.  
Robert J.

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

November 3, 2009 (Continued)

DIVISION FOUR

[illegible]

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Deborah Lee, Deputy Clerk.

Each of the following:

B206320 People v. Rodriguez  
B207538 People v. Acedo  
B208799 People v. Kane  
B209655 People v. Holmes

Argument waived, cause submitted.

B209328      People  
v.  
Simmons

Merits:

Argued by James Barnes for appellant and by Yun Lee, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (continued)

B213694     People  
              v.  
              Parham

Merits:  
Argued by Alex Coolman for appellant and by Dawn Mortazavi, Deputy Attorney General for respondent. Cause submitted.

B211495     People  
              v.  
              Windom

Merits:  
Argued by Carol Boyk for appellant and by Susan Pithey, Deputy Attorney General for respondent. Cause submitted.

B212136     People  
              v.  
              C. G.

Merits:  
Argued by Esther Sorkin for appellant and by Elaine Tumonis, Deputy Attorney General for respondent. Cause submitted.

B208811     People  
              v.  
              Babers

Merits:  
Argued by David Martin for appellant and by Susan Kim, Deputy Attorney General for respondent. Cause submitted.

Presiding Justice Perluss called the 10:00 a.m. calendar.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Deborah Lee, Deputy Clerk.

DIVISION SEVEN (continued)

B211612     Mr. Welt Pocket & Cutting  
               v.  
               Lina El Lawn

Merits:

Argued by Christie Gaumer for appellant and by David Brand for respondent. Cause submitted.

B204268     Jon M. Gunderson  
               v.  
               Richard Wall, et al.  
               Christopher Gruys

Merits:

Argued by Jennifer Jacobs for appellants Richard Wall et al., by Kenneth White for appellant Christopher Gruys, and by Jeffrey Tidus for respondent Jon M. Gunderson. Cause submitted.

B202340     Urban Eco Housing  
               v.  
               Tu My Tong

Merits:

Argued by Scott Chaplan for appellant and by John Hamilton for respondent. Cause submitted.

B204321     Lee Jackson, et al.  
               v.  
               Best, Best & Krieger  
               Robert T. Yarbary

Merits:

Argued by Robert T. Yarbary, in propria persona as respondent (called first by Presiding Justice Perluss), Yvonne Renfrew for appellants Lee Jackson et al., and by Robert Mitchell for respondent Best, Best & Krieger. Cause submitted.

Court recessed.

DIVISION SEVEN (continued)

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Deborah Lee, Deputy Clerk.

B213988     Luke Vu  
               v.  
               Superior Court, Los Angeles County  
               (Ralphs Grocery Co., r.p.i.)

Merits:

Argued by Matthew Kaufman for petitioner and by Steven Katz for real party in interest. Cause submitted.

B211331     City of Los Angeles  
               v.  
               Workers Compensation Appeals Board  
               (Death Without Dependents, Respondent)

Merits:

Argued by Diane Phillips for petitioner and by Steven McGinty for respondent. No appearance for Workers Compensation Appeals Board. Cause submitted.

B212597     Stephanie Price  
               v.  
               7-Eleven, et al.  
               Herb Domeno

Merits:

Argued by Patricio Barrera for appellant, by Eric Welter for respondents 7-Eleven, et al., and by Roger Senders for respondent Herb Domeno. Cause submitted.

## DIVISION SEVEN (continued)

B205614      Tri/Sam Development  
v.  
Pablo L. Lacuara, et al.

Merits:

No appearance for appellant. Presiding Justice Perluss permitted argument by Everett Skillman for respondents. Cause submitted.

B196973      Mary C. Theuer  
v.  
Michael C. Theuer

Merits:

Argued by Janice Mazur for appellant and by Bruce Adelstein for respondent. Cause submitted.

B207782      James J. Isaacs  
v.  
Janette M. Isaacs

Merits:

Argued by Janette M. Isaacs appellant in propria persona and by James Keane for respondent. Cause submitted.

Court adjourned.

B200073      Simpson                                  (Not for Publication)  
v.  
Cameric International Developments, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

DIVISION SEVEN (continued)

B205788      Lindmark  
                 v.  
                 Heuer, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B211584      Credyt Suisse First Boston Mortgage Capital      (Certified for Publication)  
                 v.  
                 Danning, Gill, Diamond & Kollitz

The judgment is reversed and the case is remanded for further proceedings that are consistent with the views expressed in this opinion. The parties are to bear their own costs on appeal.

Flier, J.

We concur:    Rubin, Acting P.J.  
                 Bigelow, J.